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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/856,409	05/17/2001	James E. Beecham	3859-PA5PCUS	7851

7590 12/16/2004

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EXAMINER	
GELAGAY, SHEWAYE	
ART UNIT	PAPER NUMBER
2133	

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/856,409	BEECHAM, JAMES E.	
	Examiner	Art Unit	
	Shewaye Gelagay	2133	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 May 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-34* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-34* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *5/17/01*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-34 have been examined.

Claim Objections

2. Claim 1 is objected to because of the following informalities: the word "bar" in line 8 should be changed to "code". (The correction is given in light of the context of the claim). Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 5-6 and 10-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Lang United States Letters Patent Number 5,191,611.

As per claim 1:

Lang teaches a method for the authorization of documents comprising the steps of:

preparing a record for future reference by authorized personnel including providing a document including data pertaining to an individual (Col. 5, lines 43-50), collecting biometric data from the individual and forming a code including the biometric data, attaching the code to the document, (Col. 5, lines 65-67; biometric coded

information can also be assigned as part of the personal identifier) and storing the document and attached bar ; and (Col. 3, lines 13-19 and Col. 5, line 56)

authenticating the document and attached code upon removal from storage by collecting current biometric data from a person allegedly the individual, comparing the current biometric data biometric data to the biometric data included in the code, (Col. 15, line 26; biometrics are used to identify the user) and

confirming a positive comparison that the person and the individual are identical and that the document pertains to the person and the individual, and authorizing the removal document from storage. (Col. 7, line 13 and lines 38-42)

As per claim 5:

Lang teaches all the subject matter as discussed above. In addition, Lang further discloses a method for the authorization of documents wherein the step of authenticating the document and attached code upon removal from the storage includes removal from storage by means of one of the following: a computer system, an Internet system, a facsimile system, and copier. (see figure 7, Col. 5 lines 45-46)

As per claim 6:

Lang teaches a method for the authorization of documents comprising the steps of:

preparing a record for future reference by authorized personnel including providing a document, (Col. 5, lines 43-50) collecting biometric data from an individual requesting authority to become an authorized person to access the document, forming a code including the biometric data from the individual, attaching the code to the

document, (Col. 5, lines 65-67; biometric coded information can also be assigned as part of the personal identifier) and storing the document and attached code; (Col 3, lines 13-19 and Col. 5, line 56)

authorizing access to the document by collecting current biometric data from a person requesting access to the document, comparing the current biometric data to the code attached to the document, (Col. 15, line 26; biometrics are used to identify the user) and confirming by a positive comparison that the person requesting access and the individual are identical and that the person has authority to access the document. (Col. 7, line 13 and lines 38-42)

As per claim 10:

Lang teaches all the subject matter as discussed above. In addition, Lang further discloses a method for the authorization of documents wherein the step of authenticating the document and attached code upon removal from storage includes removal from storage by means of one of the following: computer system, Internet system, facsimile system, and a copier. (see figure 7, Col. 5 lines 45-46)

As per claim 11:

Lang teaches all the subject matter as discussed above. In addition, Lang further discloses a method for the authorization of documents wherein the steps of collecting biometric data from the individual requesting authority and forming a code is repeated for each individual requesting authority and the code containing biometric data for each individual requesting authority is attached to the document. (Col. 2; lines 67-68, Col. 3, lines 1-2 and Col. 7, lines 12-13)

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 2-4, 7-9, 12-14, 16-19 and 24-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lang United States Letters Patent Number 5,191,611 in view of Wang et al. United States Letters Patent Number 5,490,217.

As per claim 2, 7, 13 and 25:

Lang discloses a document authorization system where biometric data of an authorized person is stored with the document as discussed above. Not explicitly disclosed by Lang is that a method for the authorization of documents wherein the steps of collecting biometric data from the individual and collecting current biometric data from the person include one scanning an iris of the individual and the person, taking a finger print of the individual and the person, acquiring a signature of the individual and the person, and acquiring a voice print of the individual and the person.

Wang et al. in analogous art, however, disclose a biometric identifying information such as an actual signature, seal, finger prints, retina feature, facial picture, significant dates and the like. (Col. 3, lines 19-21)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the system disclosed by Lang to include a method for the authorization of documents wherein the steps collecting biometric data

from the individual and collecting current biometric data from the person include one scanning an iris of the individual and the person, taking a finger print of the individual and the person, acquiring a signature of the individual and the person, and acquiring a voice print of the individual and the person. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by Wang et al. (Col. 1, line 63) in order to reduce and/or eliminate manual modification. This way, the system will improve the accuracy of the verification system by using biometric data instead of password or PIN, thereby adding an extra level of assurance that an individual who does not have a proper biometric authentication has not modified the stored documents.

As per claim 3, 8, 14, 16 and 26:

Lang and Wang et al. teach all the subject matter as discussed above. In addition, Wang et al., further disclose a method for the authorization of documents wherein the steps of preparing the record and authenticating the document each further include a step of taking a digital photograph of the individual and taking digital photograph the person, respectively. (see figure 8; Col. 3, lines 18-20; identifying information such as facial picture)

As per claim 4, 9, 17 and 27:

Lang and Wang et al. teach all the subject matter as discussed above. In addition, Wang et al., further disclose a method for the authorization of documents wherein the step of forming the code including the biometric data includes forming one of a two-dimensional bar code, a cross-hatched bar code, a bar code with a non-copy

background, and bar codes that are readable by one of optical or magnetic means. (see figure 5; (Col. 6, lines 2-8)

As per claim 12:

Lang teaches a method for the authorization of documents comprising the steps of:

preparing a record for future reference by authorized personnel including providing a document including data pertaining to an individual, (Col. 5, lines 43-50) collecting biometric data from the individual and forming a bar code including the biometric data, attaching the code to the document, (Col. 5, lines 65-67; biometric coded information can also be assigned as part of the personal identifier) and storing the document and attached bar code; (Col. 3, lines 13-19 and Col. 5, line 56)

authenticating the document and attached bar code by collecting current biometric data from a person allegedly the individual, comparing the current biometric data biometric data to the biometric data included in the bar code, (Col. 15, line 26; biometrics are used to identify the user) and confirming that the person and the individual are identical and that the document pertains to the person and the individual. (Col. 7, line 13 and lines 38-42)

preparing the document for future access by authorized personnel including collecting biometric data from an individual requesting authority to become an authorized person to access the document, (Col. 5, lines 43-50) forming a bar code including the biometric data, attaching the code to the document, (Col. 5, lines 65-67; biometric coded information can also be assigned as part of the personal identifier) and

storing the document and attached bar code; (Col. 3, lines 13-19 and Col. 5, line 56) and

authorizing access to the document by collecting current biometric data from a person requesting access to the document, comparing the current biometric data to the bar code attached to the document, (Col. 15, line 26; biometrics are used to identify the user) and confirming that the person requesting access and the individual are identical and that the person has authority to access the document. (Col. 7, line 13 and lines 38-42)

Not explicitly disclosed by Lang is that the use of biometric data included in a bar code.

Wang et al. in analogous art, however, teach to encode certain identifying information such as an actual signature, seal, finger prints, facial picture, significant dates and the like into the machine readable image code. (Col. 6, lines 2-8) Wang et al. further disclose the application of a 2D barcode on a document for subsequent biometric identification. (see figure 5; Col. 4, lines 14-19)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the system disclosed by Lang to include a method of forming a bar code including the biometric data, attaching the code to the document This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by Wang et al. (Col. 2, lines 57-58) in order to have a simplified system in which only with the machine readable code the entire document may be reproduced.

As per claim 18:

Lang and Wang et al. teach all the subject matter as discussed above. In addition, Lang further discloses a method for authorization of documents wherein the step of authorizing access to the document includes access by means of one of the following: a computer system, an Internet system, a facsimile system, and copier. (see figure 7, Col. 5 lines 45-46)

As per claim 19:

Lang and Wang teach all the subject matter as discussed above. In addition, Lang further discloses a method for the authorization of documents wherein the steps of collecting biometric data from the individual requesting authority and forming a bar code is repeated for each individual requesting authority and the bar code containing biometric data for each individual requesting authority is attached to the document. (Col. 2; lines 67-68, Col. 3, lines 1-2 and Col. 7, lines 12-13)

As per claim 24:

Lang teaches an apparatus for authorization to access documents comprising:

a document, a bar code including biometric data from an authorized individual attached to document; (Col. 5, lines 65-67; biometric coded information can also be assigned as part of the personal identifier)

apparatus for collecting current biometric data from a person requesting access the document; (Col. 15, line 26; biometrics are used to identify the user) and

comparing means, including a bar code reader, for comparing the current biometric data to the bar code attached to the document to confirm by a positive

comparison that the person requesting access and the authorized individual are identical and that the person has authority to access the document. (Col. 7, line 13 and lines 38-42)

Not explicitly disclosed by Lang is that the use of biometric data included in a bar code.

Wang et al. in analogous art, however, teach to encode certain identifying information such as an actual signature, seal, finger prints, facial picture, significant dates and the like into the machine readable image code. (Col. 6, lines 2-8). Wang et al. further disclose the application of a 2D barcode on a document for subsequent biometric identification. (see figure 5; Col. 4, lines 14-19)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the system disclosed by Lang to include a method of forming a bar code including the biometric data, attaching the code to the document This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by Wang et al. (Col. 2, lines 57-58) in order to have a simplified system in which only with the machine readable code the entire document may be reproduced.

As per claim 28:

Lang and Wang et al. teach all the subject matter as discussed above. In addition, Lang further disclose an apparatus for authorization to access documents wherein the apparatus for collecting current biometric data from a person requesting

access to the document includes one of the following: a computer system, an Internet system, a facsimile system, and a copier. (see figure 7, Col. 5 lines 45-46)

As per claim 29:

Lang and Wang et al. teach all the subject matter as discussed above. In addition, Lang further disclose an apparatus for authorization to access documents wherein plurality of individuals are authorized access to the document and a bar code including biometric data from each authorized individual is attached to the document. (Col. 2; lines 67-68, Col. 3, lines 1-2 and Col. 7, lines 12-13)

As per claim 30:

Lang teaches an apparatus for authorization of documents comprising:

a document including data pertaining to an individual and a bar code including biometric data from the individual attached to the document; (Col. 5, lines 65-67; biometric coded information can also be assigned as part of the personal identifier)

apparatus for collecting current biometric data from a person allegedly the individual; and (Col. 15, line 26; biometrics are used to identify the user)

comparing means, including a bar code reader, for comparing the current biometric data to the biometric data included in the bar code, and confirming a positive comparison that the person and the individual are identical and that the document pertains to the person and the individual. (Col. 7, line 13 and lines 38-42)

Not explicitly disclosed by Lang is that the use of biometric data included in a bar code.

Wang et al. in analogous art, however, teach to encode certain identifying information such as an actual signature, seal, finger prints, facial picture, significant dates and the like into the machine readable image code. (Col. 6, lines 2-8). Wang et al. further disclose the application of a 2D barcode on a document for subsequent biometric identification. (see figure 5; Col. 4, lines 14-19)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the system disclosed by Lang to include a method of forming a bar code including the biometric data, attaching the code to the document This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by Wang et al. (Col. 2, lines 57-58) in order to have a simplified system in which only with the machine readable code the entire document may be reproduced.

7. Claims 15 and 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lang United States Letters Patent Number 5,191,611 in view of Wang et al. United States Letters Patent Number 5,490,217 and further in view of Shimizu et al. United States Letters Patent Number 6,005,936.

As per claim 15:

Lang teaches a document authorization system where biometric data of an authorized person is stored with the document as discussed above. In addition, Wang et al. disclose a system to encode certain identifying information such as an actual signature, seal, finger prints, facial picture, significant dates and the like into the machine readable image code. Wang et al. further disclose the application of a 2D

barcode on a document for subsequent biometric identification as disclosed above. Both references do not explicitly teach dividing the digital photograph into first and second partial images, storing the first partial image linked to first portion the biometric data from the individual and the second partial image linked to second portion of the biometric data from the individual, and verifying the individual by comparing first and second portions of current biometric data to the stored first and second portions of biometric data and forming a composite image the linked first second partial images.

Shimizu et al. disclose dividing the digital photograph into first second partial images, (Col. 2, lines 44-45; dividing the image into a first image and a second image region) storing the first partial image linked to first portion the biometric data from the individual and the second partial image linked to second portion of the biometric data from the individual (Col. 2, line 39; embed authentication information into an image), and verifying the individual by comparing first and second portions of current biometric data to the stored first and second portions of biometric data and forming a composite image the linked first second partial images. (Col. 3, lines 6-9; a method for embedding authenticating information with a step of combining the first image region in the image with the second image region in which authentication information is embedded)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the system disclosed by Lang and Wang et al. to include dividing the digital photograph into first second partial images, storing the first partial image linked to first portion the biometric data from the individual and the second partial image linked to second portion of the biometric data from the individual,

and verifying the individual by comparing first and second portions of current biometric data to the stored first and second portions of biometric data and forming a composite image the linked first second partial images. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by Shimizu et al. (Col. 2, lines 20-24) in order to attach authentication information with the image data. This way, extra layer of securing a document can be achieved by adding or linking the image of the authorized person with the authentication information like biometric information.

As per claim 20:

Lang teaches a document authorization system where biometric data of an authorized person is stored with the document as discussed above. In addition, Lang further discloses

collecting and storing first biometric data from an individual; (Col. 3, lines 11-19 and Col. 5, line 56)

collecting storing second biometric data, different from the first biometric data, from the individual; (Col. 3, lines 11-19 and Col. 5, line 56)

collecting current first biometric data from the individual; (Col. 3, lines 11-19 and Col. 5, line 56)

comparing the current first biometric data to the stored first biometric data (Col. 7, line 13 and lines 38-42)

collecting current second biometric data from the individual; and (Col. 3, lines 11-19 and Col. 5, line 56)

comparing the current first biometric data to the stored first biometric data (Col. 7, line 13 and lines 38-42)

comparing the current second biometric data to the stored second biometric data (Col. 7, line 13 and lines 38-42)

In addition, Wang et al. disclose a system to encode certain identifying information such as an actual signature, seal, finger prints, facial picture, significant dates and the like into the machine readable image code. Wang et al. further disclose the application of a 2D barcode on a document for subsequent biometric identification as disclosed above.

Both references do not explicitly teach taking a digital photograph and electronically dividing digital photograph into first and second portions, linking the first portion of the digital photograph to the stored first biometric data and storing the linked first portion of the digital photograph, linking the second portion of the digital photograph to the stored second biometric data and storing the linked second portion of the digital photograph, comparing the current first biometric data to the stored first biometric data and displaying the stored portion the digital photograph and comparing the current second biometric data to the stored second biometric data and displaying the stored second portion of the digital photograph as a composite photograph in combination with the first portion of the digital photograph.

Shimizu et al. in analogous art, however, disclose

taking a digital photograph and electronically dividing digital photograph into first and second portions; (Col. 2, lines 44-45; dividing the image into a first image and a second image region)

linking the first portion of the digital photograph to the stored first biometric data and storing the linked first portion of the digital photograph; (Col. 2, line 39; embed authentication information into an image)

linking the second portion of the digital photograph to the stored second biometric data and storing the linked second portion of the digital photograph; (Col. 2, line 39; embed authentication information into an image)

comparing the current first biometric data to the stored first biometric data and displaying the stored portion the digital photograph; (Col. 3, lines 6-9; a method for embedding authenticating information with a step of combining the first image region in the image with the second image region in which authentication information is embedded)

comparing the current second biometric data to the stored second biometric data and displaying the stored second portion of the digital photograph as a composite photograph in combination with the first portion of the digital photograph. (Col. 3, lines 6-9; a method for embedding authenticating information with a step of combining the first image region in the image with the second image region in which authentication information is embedded)

As per claim 21:

Lang, Wang et al. and Shimizu et al. teach all the subject matter as discussed above. In addition, Wang et al., further disclose biometric identifying information such as a retina feature, facial picture. (Col. 3, lines 19-21). In this case, retina feature could be considered to include the first and second biometric data of the right and left iris scans, respectively, and the first and second current biometric data of the right and left scans, respectively. Wang et al. do not explicitly disclose the first and second biometric data include right and left iris scans, respectively, and the first and second current biometric data include right and left scans, respectively. However, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Wang et al.'s method to include the first and second biometric data include right and left iris scans, respectively, and the first and second current biometric data include right and left scans, respectively. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so in order to have an increased level of security by dividing the retina scan into the left and right iris scan.

8. Claims 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lang United States Letters Patent Number 5,191,611 in view of Drake et al. United States Letters Patent Number 6,347,374.

As per claim 31:

Lang teaches a document authorization system where biometric data of an authorized person is stored with the document as discussed above. In addition, Lang discloses authenticating the document and code by biometric comparison, confirming the authorized person and authorizing removal of the document. Not explicitly disclosed

by Lang is a system for sorting documents wherein the biometric data of a person identified as linked to the sorting document.

Drake et al. in analogous art, however, disclose a system for sorting documents wherein the biometric data of a person identified as linked to the sorting document. (Col. 17, lines 29-32; an event detection system user identification and authentication; database connectivity with filter and sort capabilities)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Lang's system for sorting documents wherein the biometric data of a person identified as linked to the sorting document. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so because the system uses biometric information to verify authenticity and allow access. Since the first step is to collect a biometric data and match it with the stored biometric data, it is obvious that sorting is performed while matching the current biometric data against the stored biometric data. This way, authorization process will be accomplished faster.

As per claim 32:

Lang and Drake et al. teach all the subject matter as discussed above. In addition, Lang discloses a document authorization system for storing messages and other textural information. Textual message can include a personal letter regarding issues related to the authorized person. Lang does not explicitly teach a system wherein the person is the subject the data in the document. However, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to

modify Lang's system wherein the person is the subject the data in the document. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so in order to make the system very flexible to protecting documents that are related to the authorized person including medical, legal or financial documents.

As per claim 33:

Lang and Drake et al. teach all the subject matter as described above. In addition, Drake et al. disclose a system wherein sorting is authorized via biometric code of user. (Col. 17, lines 29-31; user identification and authentication; database connectivity with filter and sort capabilities)

As per claim 34:

Lang and Drake et al. teach all the subject matter as described above. In addition, Drake et al. disclose a system wherein the user authorization is auditable. (Col. 17, lines 28-30; maintenance of an audit file archive database; event detection system user identification and authentication)

9. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lang United States Letters Patent Number 5,191,611 in view of Wang et al. United States Letters Patent Number 5,490,217 in view of Shimizu et al. United States Letters Patent Number 6,005,936 and further in view of Aoki et al. United States Letters Patent Number 5,053,305.

As per claim 22:

Lang, Wang et al. and Shimizu et al. teach all the subject matter as discussed above. Neither of the references, however, disclose a method of verifying the operation of biometric apparatus wherein the first and second portions the digital photograph include alternate arcuate sections.

Aoki et al. in analogous art, however, disclose a method of verifying the operation of biometric apparatus wherein the first and second portions the digital photograph include alternate arcuate sections. (Col. 9, lines 57-58)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the system disclosed by Lang, Wang et al. Shimizu et al. to include verifying the operation of biometric apparatus wherein the first and second portions the digital photograph include arcuate sections. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so in order to prevent interception of the signal or image by means of unauthorized device or unauthorized person. This way, the image is protected from being manipulated by unauthorized person.

10. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lang United States Letters Patent Number 5,191,611 in view of Wang et al. United States Letters Patent Number 5,490,217 in view of Shimizu et al. United States Letters Patent Number 6,005,936 and further in view of Inaba et al. United States Letters Patent Number 4,673,975.

As per claim 23:

Lang, Wang et al. and Shimizu et al. teach all the subject matter as discussed above. Neither of the references, however, disclose a method of verifying the operation of biometric apparatus wherein the first and second portions the digital photograph include alternate horizontal scan lines.

Inaba et al. in analogous art, however, disclose a method of verifying the operation of biometric apparatus wherein the first and second portions the digital photograph include alternate horizontal scan lines. (Col. 6, lines 63-66)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the system disclosed by Lang, Wang et al. Shimizu et al. to include verifying the operation of biometric apparatus wherein the first and second portions the digital photograph include alternate horizontal scan lines. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by Inaba et al. (Abstract) in order to prevent interception of the signal or image by means of unauthorized device or unauthorized person. This way, the image is protected from being manipulated by unauthorized person.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shewaye Gelagay whose telephone number is 571-272-4219. The examiner can normally be reached on 8:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on 571-272-3819. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shewaye Gelagay
Examiner
Art Unit 2133

12/01/04

ALBERT DECADY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100